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Subject: ADM 2003-22:4; Deviation from the formula

In my experience, the most common deviation from the formula is when the custodial parent has the ability (and desire) to adequately support the child and does not want any contribution from the non-custodial parent.

In such a situation, everyone would agree that "the award which would result from application of such guidelines is the correct amount.." Its just that the parties do not desire to apply the guidelines. Apparently this would satisfy the federal requirement. Now Michigan wants to establish criteria to determine "Inappropriateness". I suppose a judge might consider factors other than those on a list - however experience suggests otherwise.

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